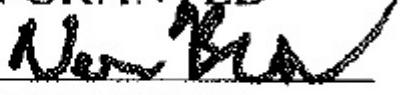


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**VIA ECF**

October 11, 2024

**APPLICATION GRANTED  
SO ORDERED**   
**VERNON S. BRODERICK**  
**U.S.D.J.** 10/15/2024

Hon. Vernon S. Broderick  
United States District Court  
Southern District of New York  
Thurgood Marshall United States  
Courthouse  
40 Foley Square, Room 415  
New York, NY 10007

The Clerk of Court is respectfully directed to  
terminate the open motions at Docs. 37 and 42.

Re: *Skillz Platform Inc. v. Voodoo SAS, et al.*, No. 1:24-cv-04991—Response to  
October 4, 2024 Order (ECF No. 49)

Dear Judge Broderick:

We write in response to the Court's October 4, 2024 Order (ECF No. 49) directing Defendants to file a letter advising whether their pending Motion to Dismiss (ECF No. 37) should be deemed moot or evaluated in light of the facts alleged in Plaintiff's First Amended Complaint filed on October 2, 2024 (ECF No. 48).

Defendants hereby confirm that they intend to file a new Motion to Dismiss the First Amended Complaint. Accordingly, Defendants respectfully request that the Court deem Defendants' prior Motion (ECF No. 37) moot without prejudice to refile a new motion pursuant to Federal Rule of Civil Procedure 15(a)(3). Defendants will file the Motion to Dismiss on or before the October 16, 2024 deadline to do so. At that time, Defendants will also file a renewed Letter Motion to Stay Discovery pending resolution of the Motion to Dismiss.

Respectfully submitted,  
*/s/ Harold K. Gordon*  
Harold K. Gordon